

REMARKS

Claims 1, 8 and 12 have been amended. Claims 13 and 14 have been added. Please charge any fees necessary for entry of this Amendment to our Deposit Account No. 03-0315.

The Examiner has objected to claims 1 and 12 because of certain informalities. In particular, the Examiner has argued that there is insufficient antecedent basis for the limitation "said recording means" in claim 1. Applicant has amended applicant's claim 1 to recite "said recording medium interface," and believes that there is sufficient antecedent basis for this limitation in applicant's claim 1. The Examiner's objection to claim 1 is therefore obviated.

With respect to applicant's claim 12, the Examiner has pointed out that the term "stream" in the phrase "a plurality of moving stream" should be in plural form. Applicant has amended this portion of claim 12 to recite "a plurality of moving streams," as suggested by the Examiner, thereby obviating the Examiner's objection.

The Examiner has rejected applicant's claim 12 under 35 USC §102(b) as being unpatentable over the McKain et al. (WO 96/26600) reference. The Examiner has also rejected applicant's claims 1 and 4 under 35 USC §103(a) as unpatentable based on the McKain, et al. reference in view of the Johnson, et al. (US 6,163,338) patent. Claim 5 has been rejected under 35 USC §103(a) as unpatentable based on the latter two references taken with the Matsui, et al. (US 6,674,955) patent. The Examiner has found claims 6-10 to be allowable. Applicant has amended applicant's independent claims 1 and 12, and with respect to these claims, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed.

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In applicant's response dated September 28, 2005 to the Office Action dated July 28, 2005, applicant has incorporated the features of the previously allowed claim 6 into applicant's claim 1. Specifically, applicant's claim 1 was amended on September 28, 2005 to include the features of recording a "preceding moving image signal," corresponding to the first predetermined period of claim 6, and a "succeeding moving image signal," corresponding to the second predetermined period of claim 6, and a play list data used for controlling the reproducing process so as to inhibit reproducing the preceding and succeeding moving images signals, corresponding to reproducing the moving image signal in other than the first and second periods of claim 6. In response, the Examiner has argued that claim 1 and the previously allowed claim 6 do not claim the same features since claim 1 recites "the play list data being used for controlling..." while the previously allowed claim 6 recites "the play list being arranged to controlling..."

Applicant has now amended applicant's independent claim 1 to better define applicant's invention, and to recite the play list data being arranged to control a reproducing process of the moving image stream recorded on the recording medium so as to inhibit reproducing of the preceding moving image signal and the succeeding moving image signal, and reproduce the main moving image signal. Accordingly, applicant's amended independent claim 1, and its respective dependent claims, are patentable over the McKain et al. reference and Johnson et al. patent for the same reasons as claim 6 was found patentable over these references. Moreover, there is nothing added in the Matsui, et al. patent to change this conclusion.

The construction recited in applicant's amended independent claim 12 is also not taught or suggested by the McKain et al. reference. In response to applicant's argument

submitted on September 28, 2005 that the McKain reference does not teach or suggest the play list data being used for controlling the reproducing process of the moving image stream and updating the play list data so as to reproduce successively the main moving image data included in a plurality of moving image streams recorded prior to the new moving image stream and the main moving image data included in the new moving image stream, the Examiner has argued that, as in claim 1, the language "the play list data being used for..." does not structurally distinguish applicant's claim 12 from the prior art since the phrase "used for" pertains to a function. The Examiner has further argued that the McKain reference teaches updating the play list data by assigning an incremented clip number to the clip as it is recorded, with the clips being automatically organized in ascending order (Page 15, lines 1-4) and updating this data so that the image data is reproduced in successive order to that which has been recorded prior to the latest or current image data (p. 15 Table I).

Applicant has amended independent claim 12 to recite the play list data being arranged to control a reproducing process of the moving image stream, similar to the previously allowed claim 6. The Examiner has acknowledged that the phrase "arranged to" pertains to a structure and therefore, applicant believes that applicant's amended independent claim 12 now structurally distinguishes over the cited references.

In particular, applicant again submits that the McKain, et al. reference does not teach or suggest generating a play list data according to the recording operation of the moving image by the recording means, the play list data being arranged to control a reproducing process of the moving image stream recorded on the recording medium so as to reproduce the main moving image signal in the moving image stream. The McKain, et al. reference discloses that each clip is assigned a number after it is recorded and that a clip list is created,

which includes available active recorded clips automatically organized in ascending order by clip number. See, page 15, lines 1-4; Table I; page 17, lines 9-10. The McKain, et al. reference thus only teaches organizing available recorded clips by clip number in the clip list and makes no mention of the clip list being arranged to control the reproducing process of the moving image stream.

There is also no teaching or suggestion in McKain, et al. of updating the play list data, in response to recording of new moving image stream, to control the reproducing process of the moving image stream so as to reproduce successively the main moving image data included in a plurality of moving image streams prior to the new moving image stream and the main moving image data included in the new moving image stream. As discussed above, the McKain, et al. reference does not teach or suggest the clip list controlling the reproducing process, and therefore, there is no, and cannot be any, updating of the clip list in the McKain, et al. reference, in response to recording of a new clip, to control the reproducing process. Accordingly, there also cannot be any updating in McKain, et al. of the play list data to control the reproducing process so that the main moving image data included in a plurality of moving image streams is reproduced successively prior to the new moving image stream and the main moving image data included in the new moving image stream.

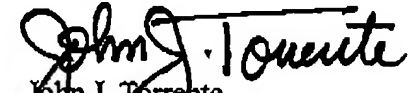
Applicant's amended independent claim 12, which recites the above features, and its respective dependent claims, thus patentably distinguishes over the McKain, et al. reference. Moreover, the Johnson, et al. and the Matsui, et al. references fail to add anything to change this conclusion.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

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Respectfully submitted,


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